

TO: The Honorable Board of Supervisors

FROM: B. Clayton Goodman, III, County Administrator  
L. Carol Edmonds, Assistant County Administrator

DATE: May 12, 2008

**SUBJECT: AGENDA REPORT**

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**I. CALL TO ORDER**

**II. INTO CLOSED MEETING**

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711

- (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

- 1. Prices Fork Elementary School Site

- (7) Consultation with Legal Counsel and Briefings from Staff Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel

- 1. Norfolk Southern Intermodal Facility

- (1) Discussion, Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
  1. Community College Board (New River)
  2. Library Board
  3. Office on Youth Advisory Board
  4. Social Services Board
  5. Virginia's First Regional Industrial Facility Authority

### **III. OUT OF CLOSED MEETING**

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

### **IV. CERTIFICATION OF CLOSED MEETING**

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

NAYS

ABSENT DURING VOTE

ABSENT DURING MEETING

**V. INVOCATION**

**VI. PLEDGE OF ALLEGIANCE**

**VII. DELEGATION**

**A. SUBJECT: VIRGINIA DEPARTMENT OF  
TRANSPORTATION**

**Virginia Department of Transportation**

David Clarke, VDOT Residency Administrator, will update the Board of Supervisors on road issues/concerns in Montgomery County.

**B. SUBJECT: MONTGOMERY COUNTY EXTENSION**

**Montgomery County Extension Office**

Michelle Adcock will present an update on the Montgomery County Extension program. (TAB E)

**C. SUBJECT: DEPARTMENT OF SOCIAL SERVICES**

**Department of Social Services**

Representatives from the Department of Social Services will provide a presentation on services provided by DSS.

**VIII. PUBLIC ADDRESS**

**IX. ADDENDUM**

**X. CONSENT AGENDA**

## **XI. OLD BUSINESS**

### **A. SUBJECT: ORDINANCE AMENDING THE B-3 VOTING PRECINCT**

#### **ORD-FY-08- AN ORDINANCE AMENDING THE B-3 VOTING PRECINCT BY SPLITTING THE B-3 PRECINCT AND CREATING FROM A PORTION OF THE EXISTING B-3 PRECINCT A NEW B-4 VOTING PRECINCT WITH THE B-4 PRECINCT POLLING PLACE LOCATED AT THE CHRISTIANSBURG RECREATION CENTER 1600 NORTH FRANKLIN STREET (U.S. ROUTE 460) CHRISTIANSBURG, VIRGINIA**

BE IT ORDAINED, By the Board of Supervisors of the County of Montgomery, Virginia that the B-3 Voting Precinct shall be amended and reordained and the B-4 Voting Precinct and B-4 Polling Place shall be created and ordained as follows:

#### **VOTING PRECINCT B-3**

~~Beginning at the intersection of the western boundary of the County of Montgomery and the confluence of Crab Creek and the New River; thence in an easterly direction with Crab Creek to the intersection of Crab Creek and North Franklin Street; thence in a northerly direction with North Franklin Street to its intersection with the Norfolk Southern branch line; thence in a westerly, thence northerly direction with the railroad tracks of the branch line to its intersection with Peppers Ferry Road; thence in an easterly direction with Peppers Ferry Road to its intersection with North Franklin Street; thence in a northerly direction with North Franklin Street for approximately 5,000 feet (where Merrimac Road i.e. State Route 657 intersects U.S. Route 460) to a point where the Norfolk Southern railroad tunnel passes beneath South Main Street; thence in a westerly direction with the Norfolk Southern railroad tunnel and tracks to their intersection with Coal Hollow Road (State Route 705); thence in a southerly direction with Coal Hollow Road to its intersection with Peppers Ferry Road (State Route 114) thence in a westerly direction with Peppers Ferry Road to its intersection with the western boundary of the County of Montgomery and the New River; thence in a southerly direction with the western boundary of the County of Montgomery and the New River to its intersection with the confluence of Crab Creek, the point of beginning.~~

Beginning at the intersection of the western boundary of the County of Montgomery and the confluence of Crab Creek and the New River; thence in an easterly direction with Crab Creek to the Corporate Line of the Town of Christiansburg; thence in a northerly direction following the Corporate Line to the intersection of Peppers Ferry Road (VA Primary 114); thence in a easterly direction following Peppers Ferry Road to the intersection of North Franklin Street (U.S. Route 460); thence in a northerly direction with North Franklin Street for approximately 5,000 feet (where Merrimac Road i.e. State Route 657 intersects U.S. Route 460 to a point where the Norfolk Southern railroad tunnel passes beneath South Main Street (U.S. Route 460); thence in a westerly direction with the Norfolk Southern railroad tracks to their intersection with Coal Hollow Road (State Route 705); thence in a southerly direction follow Coal Hollow Road to its intersection with Peppers Ferry Road (VA Primary Route 114) thence in a westerly direction with Peppers Ferry Road to its intersection with the western boundary of the County of Montgomery and the New River; thence in a southerly direction with the western boundary of the County of Montgomery and the New River to its intersection with the confluence of Crab Creek, the point of beginning.

Polling Place: Belmont Christian Church  
2149 Dominion Drive (SR Rt ~~114~~ 760)  
Christiansburg, VA

#### **VOTING PRECINCT B-4**

Beginning at the intersection of Crab Creek and North Franklin Street (U.S. Route 460); thence in a northerly direction with North Franklin Street to its intersection with the Norfolk Southern branch line; thence in a westerly, thence northerly direction with the railroad tracks of the branch line to its intersection with Peppers Ferry Road (VA Primary 114); thence in a westerly direction with Peppers Ferry Road to the Corporate Line of the Town of Christiansburg; thence in a southerly direction following the Corporate Line to the intersection of Crab Creek; thence in an easterly direction following Crab Creek to the intersection of Crab Creek and North Franklin Street, the point of beginning.

Polling Place: Christiansburg Recreation Center  
1600 North Franklin Street (U.S. Route 460)  
Christiansburg, VA 24073

This precinct change shall not take effect until the United States Department of Justice pre-clears the change pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973.

**JUSTIFICATION:**

The Montgomery County Electoral Board requested an ordinance amending the B-3 Voting Precinct and creating a new B-4 Voting Precinct. The B-3 Voting Precinct has seen a significant amount of development creating an increase in the amount of citizens voting. A new polling place will help eliminate long lines.

**B. SUBJECT:**

**ORDINANCE - COMPREHENSIVE PLAN  
MAP AMENDMENT - KNOLLWOOD  
DEVELOPMENT, LLC**

**ORD-FY-08**

**AN ORDINANCE AMENDING THE 2025 COMPREHENSIVE PLAN –  
FUTURE POLICY MAP DESIGNATION OF TAX PARCEL NO. 67-A-160F  
(ACCOUNT # 026412) FROM RURAL TO URBAN EXPANSION, FOR  
PROPERTY LOCATED ON THE EAST SIDE OF THE 500 BLOCK OF  
CINNABAR ROAD, IN THE PRICES FORK AND  
RINER MAGISTERIAL DISTRICTS**

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed amendments to the 2025 Comprehensive Plan – Future Policy Map meet the requirements of Section PLU 1.1.1 Policy Area Designations of the Comprehensive Plan and therefore the Future Policy Map designation of that certain tracts or parcels of land is hereby amended from the designation of Rural to Urban Expansion.

This action was commenced upon the application of Knollwood Development, LLC. (Agent: Balzer & Associates).

The property is further identified as Tax Parcel No. 67-A-160F (Acct No. 026412) in the Shawsville Magisterial District.

This ordinance shall take effect upon adoption.

**JUSTIFICATION:**

At a Regular Meeting on April 9, 2008 the Planning Commission, by a vote of 9-0 found the Comprehensive Plan amendment in conformance with PLU 1.1.1 and recommended approval to the Board of Supervisors. See TAB **F**.

**C. SUBJECT:**

**ORDINANCE – COMPREHENSIVE PLAN  
MAP AMENDMENT – LINDA S. CALDWELL,  
ET. AL.**

**ORD-FY-08**

**AN ORDINANCE AMENDING THE 2025 COMPREHENSIVE PLAN –  
BELVIEW VILLAGE PLAN LAND USE MAP DESIGNATION OF  
SIXTEEN (16) PARCELS, LOCATED ON THE NORTH AND SOUTH SIDE  
OF THE 3500 & EASTERN HALF OF THE 3600 BLOCK OF  
PEPPERS FERRY ROAD (SR 114) AND THE 4000 BLOCK OF  
BRADFORD LANE INCLUSIVE, FROM VILLAGE MEDIUM DENSITY  
RESIDENTIAL TO VILLAGE MIXED USE IN THE PRICES FORK AND  
RINER MAGISTERIAL DISTRICTS**

BE IT ORDAINED, By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed amendments to the 2025 Comprehensive Plan – Belview Village Plan Land Use Map meet the requirements of Section PLU 1.1.1 Policy Area Designations of the Comprehensive Plan and therefore the Belview Village Land Use Map designation of that certain tracts or parcels of land is hereby amended from the designation of Village Medium Density Residential to Village Mixed Use.

This action was commenced upon the application of Linda S. Caldwell, et al. (Agent: Albright & Bongard, PLC).

The properties are further identified as Tax Parcel Nos. 64-A-92, 64-A-82; 64-1-7A; 64-1-7B; 64-A-91; 63-1-4A; 64-A-83; 64-A-84; 64-A-89; 64-A-89A; 64-A-90; 64-A-99; 64-A-100; 64-A-80; 64-A-81; 064-1-5B, (Acct Nos. 002869, 010121, 017123, 021593, 015578, 009039, 010122, 021691, 011645, 000229, 011138, 011644, 011139, 011136, 011137, 010109), in the Prices Fork & Riner Magisterial Districts.

This ordinance shall take effect upon adoption.

**JUSTIFICATION:**

At a Regular Meeting on April 9, 2008 the Planning Commission, by a vote of 9-0 found the Comprehensive Plan amendment in conformance with PLU 1.1.1 and recommended approval to the Board of Supervisors. See TAB G.

**D. SUBJECT:**

**ORDINANCE – REZONING RHONDY L.  
MARTIN AND MARGENE WARD MARTIN**

**ORD-FY-08-  
AN ORDINANCE AMENDING THE ZONING CLASSIFICATION  
OF APPROXIMATELY 18.1325 ACRES  
IN THE PRICES FORK MAGISTERIAL DISTRICT  
LOCATED ON 1806 KEISTERS BRANCH ROAD (SR 718)  
IDENTIFIED AS TAX MAP PARCEL NO. 51-A-51 (ACCT # 018027)  
FROM AGRICULTURE (A-1) TO RURAL RESIDENTIAL (R-R)  
MARTIN AND MARGENE WARD MARTIN**

BE IT ORDAINED By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tract or parcel of land consisting of 18.1325 acres of land is hereby amended and rezoned from the zoning classification of Agriculture (A-1) to Rural Residential (R-R) with the following proffered conditions:

1. The total number of lots permitted on the 18.1325 acre tract will not exceed six (6).
2. A thirty (30) foot natural vegetated buffer will be retained around the perimeter of the property using the existing trees, unless it interferes with easements, drainfields, driveways or sight distances.

This action was commenced upon the application of Rhondy L. Martin and Margene Ward Martin 1997 Trust (Agent: Mathews and Henegar, Inc.).

The property is located 1806 Keisters Branch Road (SR 718) and is identified as Tax Parcel No. 51-A-51 (Acct # 018027) in the Prices Fork Magisterial District (District E). The property currently lies in an area designated as Rural in the Comprehensive Plan.

This ordinance shall take effect upon adoption.

**JUSTIFICATION:**

At a Regular Meeting on April 9, 2008 the Planning Commission, on a vote of 9 to 0, found the Rezoning request compatible with the Comprehensive Plan, and recommended approval to the Board of Supervisors. See TAB H for Planning Commission recommendation memo of April 11, 2008.



**E. SUBJECT:**

**ORDINANCE – REZONING  
REESE FAMILY LIMITED PARTNERSHIP**

**ORD-FY-08-  
AN ORDINANCE AMENDING THE ZONING CLASSIFICATION  
OF APPROXIMATELY 227.65 ACRES  
IN THE MOUNT TABOR MAGISTERIAL DISTRICT  
LOCATED ON THE WEST SIDE OF BRADSHAW ROAD (SR 629),  
NORTH OF NEW RIDGE ROAD (SR 1052)  
IDENTIFIED AS TAX MAP PARCEL NOS. 45-A-80 (ACCT # 025398),  
45-3-5A (ACCT # 034187) AND 32-A-55 (ACCT # 001477)  
FROM AGRICULTURE (A-1) TO RURAL RESIDENTIAL (R-R)  
REESE FAMILY LIMITED PARTNERSHIP**

BE IT ORDAINED By the Board of Supervisors of Montgomery County, Virginia that it hereby finds that the proposed rezoning is in compliance with the Comprehensive Plan and meets the requirement for public necessity, convenience, general welfare and good zoning practice, and therefore the zoning classification of that certain tract or parcel of land consisting of 227.65 acres of land is hereby amended and rezoned from the zoning classification of Agriculture (A-1) to Rural Residential (R-R) with the following proffered conditions:

1. The total number of dwelling units shall not exceed 67, with a minimum lot size of 1.5 acres.
2. A network of walking trails will be developed on the property. The exact layout of the trails will be finalized with Montgomery County input as the lot layout is finalized.
3. No clearing will be allowed except for a 75' zone around the house, and as required to install drainfields.
4. Homeowners will be responsible for maintenance of alternative septic systems.

This action was commenced upon the application of Reese Family Partnership (Agent: Lynn Reed).

The property is located on the west side of Bradshaw Road (SR 629), north of New Ridge Road (SR 1052) and is identified as Tax Parcel Nos. 45-A-80 (Acct # 025398), 45-3-5A (Acct # 034187) and 32-A-55 (Acct # 001477) in the Mount Tabor Magisterial District (District C). The property currently lies in an area designated as Rural in the Comprehensive Plan.

This ordinance shall take effect upon adoption.

**JUSTIFICATION:**

At a Regular Meeting on April 23, 2008 the Planning Commission, on a vote of 5 to 2 (Haynes and Lau opposing; Cochran and Moore absent), found the Rezoning request compatible with the Comprehensive Plan, and recommended approval to the Board of Supervisors. See TAB I for Planning Commission recommendation memo of April 24, 2008.

**XII. NEW BUSINESS**

**A. SUBJECT:**

**AMENDMENT TO THE CLASSIFICATION  
AND COMPENSATION PLAN -PSA**

**R-FY-08-  
RESOLUTION AMENDING THE  
MONTGOMERY COUNTY CLASSIFICATION AND COMPENSATION PLAN  
FOR PUBLIC SERVICE AUTHORITY POSITION  
BASED ON A CHANGE MADE BY  
THE MONTGOMERY COUNTY PUBLIC SERVICE AUTHORITY**

WHEREAS, At its May 5, 2008 meeting the Montgomery County Public Service Authority adopted a personnel change resulting in the reclassification of a Senior Program Assistant (pay grade 116) to Secretary to the PSA Board (new title in pay grade 117).

WHEREAS, The Board of Supervisors needs to amend the overall County Classification and Compensation Plan to reflect the change in classification made by the Montgomery County Public Service Authority for the above referenced Public Service Authority position.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby amends the Montgomery County Classification and Compensation Plan to reflect the change in classification for the following Public Service Authority position:

Senior Program Assistant – pay grade 116  
to Secretary to the PSA Board – pay grade 117

This change in classification shall be effective April 1, 2008.

**ISSUE/PURPOSE:**

Amend the County's Classification and Compensation Plan.

**JUSTIFICATION:**

See TAB J.

**B. SUBJECT: DESIGNATION OF RURAL RUSTIC ROAD  
BLUE SPRINGS ROAD (SR 620)**

**R-FY-08-  
DESIGNATION OF RURAL RUSTIC ROAD  
BLUE SPRINGS ROAD (SR 620)**

WHEREAS, Section 33.1-70.1 of the Code of Virginia, permits the improvement and hard surfacing of certain unpaved roads deemed to qualify for designation as a **Rural Rustic Road**; and

WHEREAS, Any such road must be located in a low-density development area and have a minimum of 50 vehicles per day (vpd), and have no more than 1000 vpd; and

WHEREAS, The Board of Supervisors of Montgomery County, Virginia desires to consider whether **Route 620 Blue Springs Road**, From: 0.25 miles South of Rte 613 To: Rte 613 should be designated a Rural Rustic Road; and

WHEREAS, The Board is unaware of pending development that will significantly affect the existing traffic on the road; and

WHEREAS, The citizens that utilize this road have been made aware that this road may be paved with minimal improvements; and

WHEREAS, The Board believes that this road should be so designated due to its qualifying characteristics and will endeavor to retain these characteristics through its comprehensive planning process.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby designates this road a **Rural Rustic Road** and requests that the Residency Administrator for the Virginia Department of Transportation concur in the designation.

BE IT FURTHER RESOLVED, The Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in the current state.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.



NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby designates this road a **Rural Rustic Road**, and requests that the Residency Administrator for the Virginia Department of Transportation concur in the designation.

BE IT FURTHER RESOLVED, The Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in the current state.

BE IT FURTHER RESOLVED, That a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

ISSUE/PURPOSE: Designate Crab Creek Road (SR 660) as a Rural Rustic Road.

JUSTIFICATION: FY 2004-05 Revenue Sharing funds in the amount of \$50,000 were put to this road for spot widening; and FY2006-07 and FY2007-08 Revenue Sharing funds in the amount of \$164,324 were put to the road for paving the existing roadway. According to David Clarke, Blue Springs Road does not need to be added to the 6-Year Secondary Road Improvement Plan since it is being paid for with Revenue Sharing funds. The road needs to be designated Rural Rustic to justify paving to less than 18 feet of pavement. See TAB **K** for a copy of the Board's Revenue Sharing resolution for FY06-07. TAB **K** also includes a copy of the Board's FY 2004-05 Revenue Sharing resolution.

### **XIII. INTO WORK SESSION**

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. HS Tejas Subdivision – Review of Private Roads ( TAB **L** )
2. Inmate Work Crews (TAB **M** )

#### **XIV. OUT OF WORK SESSION**

BE IT RESOLVED, The Board of Supervisors ends the Work Session to return to Regular Session.

#### **XV. COUNTY ATTORNEY'S REPORT**

#### **XVI. COUNTY ADMINISTRATOR'S REPORT**

#### **XVII. BOARD MEMBERS' REPORT**

1. Supervisor Marrs
2. Supervisor Biggs
3. Supervisor Politis
4. Supervisor Muffo
5. Supervisor Creed
6. Supervisor Brown
7. Supervisor Perkins

#### **XVIII. OTHER BUSINESS**

## **XIX. ADJOURNMENT**

### **FUTURE MEETINGS**

Adjourned Meeting

**Tuesday, May 27 2008**

6:00 p.m. – Closed Meeting Items

7:15 p.m. Regular Agenda

Regular Meeting

Monday, June 9, 2008

6:00 p.m. – Closed Meeting Items

7:15 p.m. Regular Agenda

Adjourned Meeting

Monday, June 23, 2008

6:00 p.m. – Closed Meeting Items

7:15 p.m. Regular Agenda